

BETTY SHUMENER (CA Bar No. 137220)
HENRY OH (CA Bar No. 187127)
DLA PIPER US LLP
550 South Hope St., Suite 2300
Los Angeles, CA 90071
Tel: (213) 330-7700
Fax: (213) 330-7701
betty.shumener@dlapiper.com

Attorneys for Defendant, Motricity, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
AT SAN FRANCISCO

CAMELLIA WALKER, individually and on
behalf of a class of similarly situated individuals,

Plaintiff,

vs.

MOTRICITY, INC., a Delaware corporation,

Defendant.

Case No. 08-CV-3648 MHP

**STIPULATION EXTENDING TIME
TO RESPOND TO COMPLAINT**

STIPULATION

WHEREAS, under Rule 81(c) of the Federal Rules of Civil Procedure, the deadline for defendant, Motricity, Inc. ("Motricity") to answer or otherwise respond to the Complaint is August 6, 2008, five (5) days after the filing of Motricity's Notice of Removal with this Court;

WHEREAS, plaintiff Camellia Walker, individually and on behalf of a class of similarly situated individuals, intends to file a motion to remand this action back to California state court;

WHEREAS, the parties desire to allow Motricity to extend the deadline to answer or otherwise respond to the Complaint from August 6, 2008 to thirty (30) days after this Court's entry of its order on Ms. Walker's motion to remand;

**STIPULATION EXTENDING TIME TO
RESPOND TO COMPLAINT**

1 **WHEREAS**, such an extension of time is proper to permit the Court to address the
2 threshold issue of remand before Motricity is required to respond to the Complaint;

3 **WHEREAS**, such an extension of time does not affect any deadlines or orders previously
4 entered by the Court;

5 **NOW, THEREFORE**, the parties, pursuant to Local Rule 6-1, hereby agree and stipulate
6 as follows:
7

8 1. The time for Motricity to answer or otherwise respond to the Complaint is
9 extended from August 6, 2008 to thirty (30) days after the entry by the Court of its order on Ms.
10 Walker's motion to remand.

11 Dated this 6th day of August, 2008.

12
13
14
15 DLA PIPER US LLP

KAMBEREDELSON, LLC

16
17
18 s/ Henry Oh

BETTY SHUMENER (CA Bar No.
19 137220)

HENRY OH (CA Bar No. 187127)

20 DLA PIPER US LLP

550 South Hope St., Suite 2300

21 Los Angeles, CA 90071

22 Tel: (213) 330-7700

Fax: (213) 330-7701

23 betty.shumener@dlapiper.com

24 henry.oh@dlapiper.com

25 *Attorneys for Defendant, Motricity, Inc*


ALAN HIMMELFARB (CA Bar No. 90480)

KAMBEREDELSON, LLC

2757 Leonis Boulevard

Vernon, CA 90058

Tel: (323) 585-8696

Fax: (323) 585-6195

ahimmelfarb@kamberedelson.com

*Attorney for Plaintiff, Camellia Walker,
individually and on behalf of all others similarly
situated*

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is DLA Piper US LLP, 550 South Hope Street, Suite 2300, Los Angeles, California 90071-2678.

On August 8, 2008, I served the following documents:

STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail, at Los Angeles, California addressed as set forth below.

Alan Himmelfarb, Esq.
Kamberedelson, LLC
2757 Leonis Boulevard
Vernon, CA 90058

Jay Edelson, Esq.
Myles McGuire, Esq.
Kamberedelson, LLC
53 West Jackson Blvd., Suite 1530
Chicago, IL 60604

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 8, 2008, at Los Angeles, California.


Janet Curley